



US Army Corps of Engineers

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	KNG-MVK-2004-833
EVALUATOR:	Kaaren Geter
PHONE NO.:	(601) 631-5162
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	November 30, 2004
EXPIRATION DATE:	December 21, 2004

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Mississippi Department of Environmental Quality, Office of Environmental Services, Post Office Box 10385, Jackson, Mississippi 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Mr. Richard Ambrosino
PSC Corporation
385-B Highland Colony Parkway,
Suite 502
Ridgeland, Mississippi 39157

Name of Agent:
Mr. Clay Cromwell
Wildlife Technical Services,
Incorporated
Post Office Box 820188
Vicksburg, Mississippi
39182-0188

Location of Work: Section 31, T8N-R2E, and sections 5 & 6, T7N-R2E, UTM 15 770178E 3597689N, within the Lower Big Black drainage basin, Madison County, near Madison, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place fill material into wetlands and other waters of the United States associated with the construction of a residential, retail, and commercial development. The development would be comprised of single-family residences, a commercial office park, hotel, retail buildings, access roads/streets, lakes, and utilities.

The proposed project site consists of approximately 273.58 acres, of which 7.8 acres are wetlands and 5.17 acres are other waters of the United States. The wetland acreage consists of 7.1 acres of forested wetlands and 0.7 acre of pasture wetland. The other waters of the United States include 0.66 acre (5710 linear feet) of ephemeral streams, 0.43 acre (3720 linear feet) of intermittent streams, 0.65 acre (2820 linear feet) of a perennial stream (tributary of Bear Creek), and 3.43 acres of ponds. The applicant is proposing to use approximately 97,041 cubic yards of silty clay loam obtained from a clean commercial source to fill the wetlands (60,580 cubic yards) and other waters (36,461 cubic yards).

Three types of vegetated areas found on the site are mowed pastures, scrub-shrub, and mature trees. Wetlands and other waters are scattered throughout the project site in each of these vegetated areas. The northwestern portion of the site is presently mowed pasture. The southwestern portion of the site is scrub-shrub which develops into mature hardwoods, including oak and hackberry, progressing from west to east. The center portion of the site is mowed pasture. A mature hardwood community that includes large areas of dense herbaceous vegetation exists along the tributary to Bear Creek. The property to the east of the tributary is covered with shrubs and saplings including cedar, hackberry, and ash. The soil survey indicates the major soil types on this site are Siwell, Byram, Oaklimeter, Ariel, and Grenada. Siwell occurs in the higher areas of the south and west along the interstate, Oaklimeter is located in the lower wooded areas and in the pasture area. Ariel occurs in the floodway of Bear Creek. Siwell, Byram, and Grenada are non-hydric while Oaklimeter and Ariel are hydric with inclusions.

The single-family residential subdivision would be constructed on approximately 138.75 acres located on the east side of the property. The subdivision would include the development of 277 planned house lots, associated streets, and utilities. Two lake sites would be constructed within the perennial stream that dissects the central portion of the proposed subdivision. The applicant states that the lakes would provide adequate storm water detention for the entire proposed development.

The proposed retail and commercial development would be located on approximately 138.75 acres on the western portion of the property. A hotel, retail shops, and business offices would be located in the southern section of the site. The central portion of the site includes the construction of additional buildings for office and/or retail sales. The buildings located along the northern section of the site are proposed to be commercial retail buildings. Primary access to and across the retail and commercial development would involve a planned access road that ties into U.S. Highway 463. Utilities are available to the site with water along U.S. Interstate 55 and sewer along Bear Creek.

The applicant proposes to mitigate wetland impacts through restoration of 15.75 acres of prior converted open field wetlands within the Big Black River basin, in Warren County, Mississippi. The proposed mitigation would take place on the Tillotson Enterprise, Inc. Property located in Sections 4 and 5, Township 15 North, Range 5 West, Warren County, Mississippi. Stream impacts would also be mitigated on the Tillotson Enterprise, Inc. property. The applicant proposes riparian buffer enhancement on 3.44 acres including 150 foot buffer for a distance of 500 linear feet along either side of a degraded intermittent stream. The applicant proposes to plant suitable hardwood seedlings during January and/or February 2005. The species to be planted include green ash, Nuttall oak, water oak, overcup oak, shumard oak and willow oak. The species would be planted in an approximately 12' x 12' spacing, yielding approximately 302 seedlings per acre. The site would be monitored to ensure the survival of an average of 100 trees per acre after the first growth season. A mitigation covenant would be placed on the mitigation area as per the existing U.S. Army Corps of Engineers Guidelines and Regulations.

The applicant stated that the two lake sites would provide adequate storm water retention for the entire proposed project site. They proposed that the development of the lakes would compensate for the filling of the impacted ponds within the project site.

The mechanical clearing and placement of dredged and/or fill material in wetlands and waters of the United States requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are

welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Madison County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

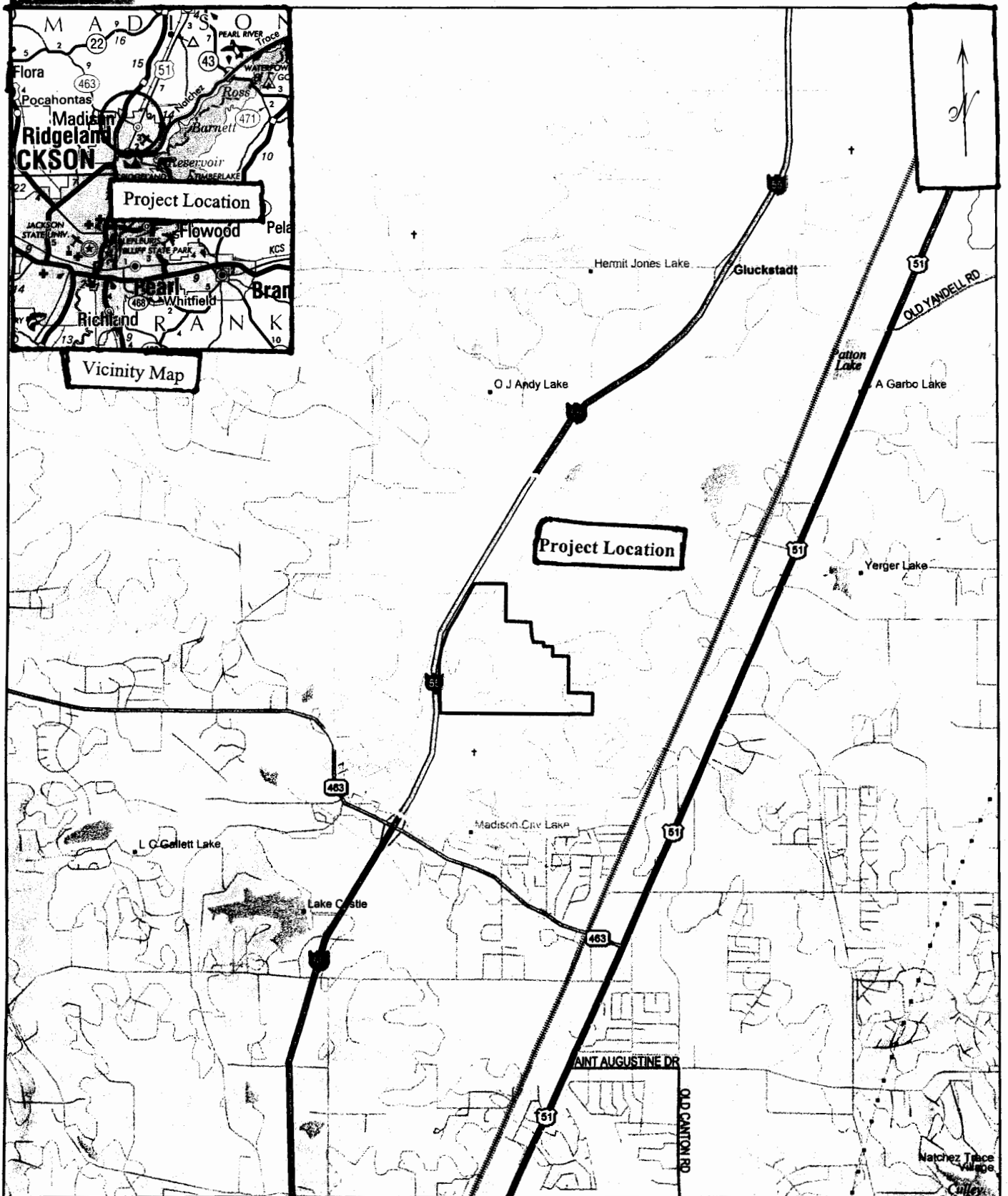
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

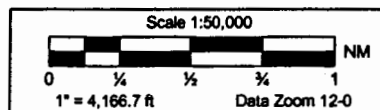
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section



PSC Corporation
Fontanelle Development
Madison County, Mississippi
General Location Map

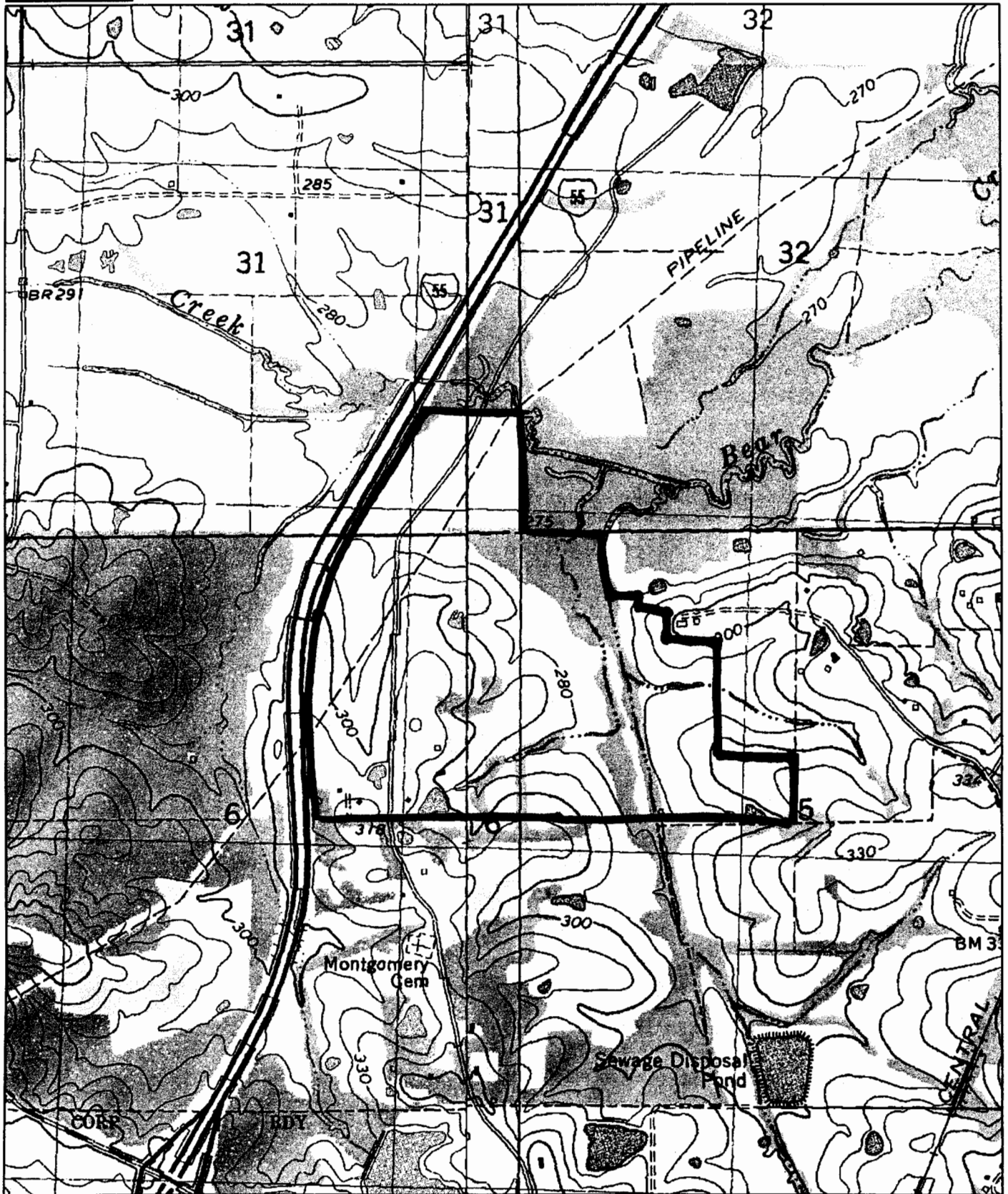


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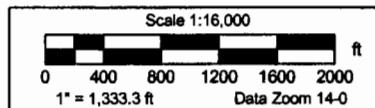


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MR RICHARD AMBROSINO



PSC Corporation
Fontanelle Development
Madison County, Mississippi
Tract Location Map



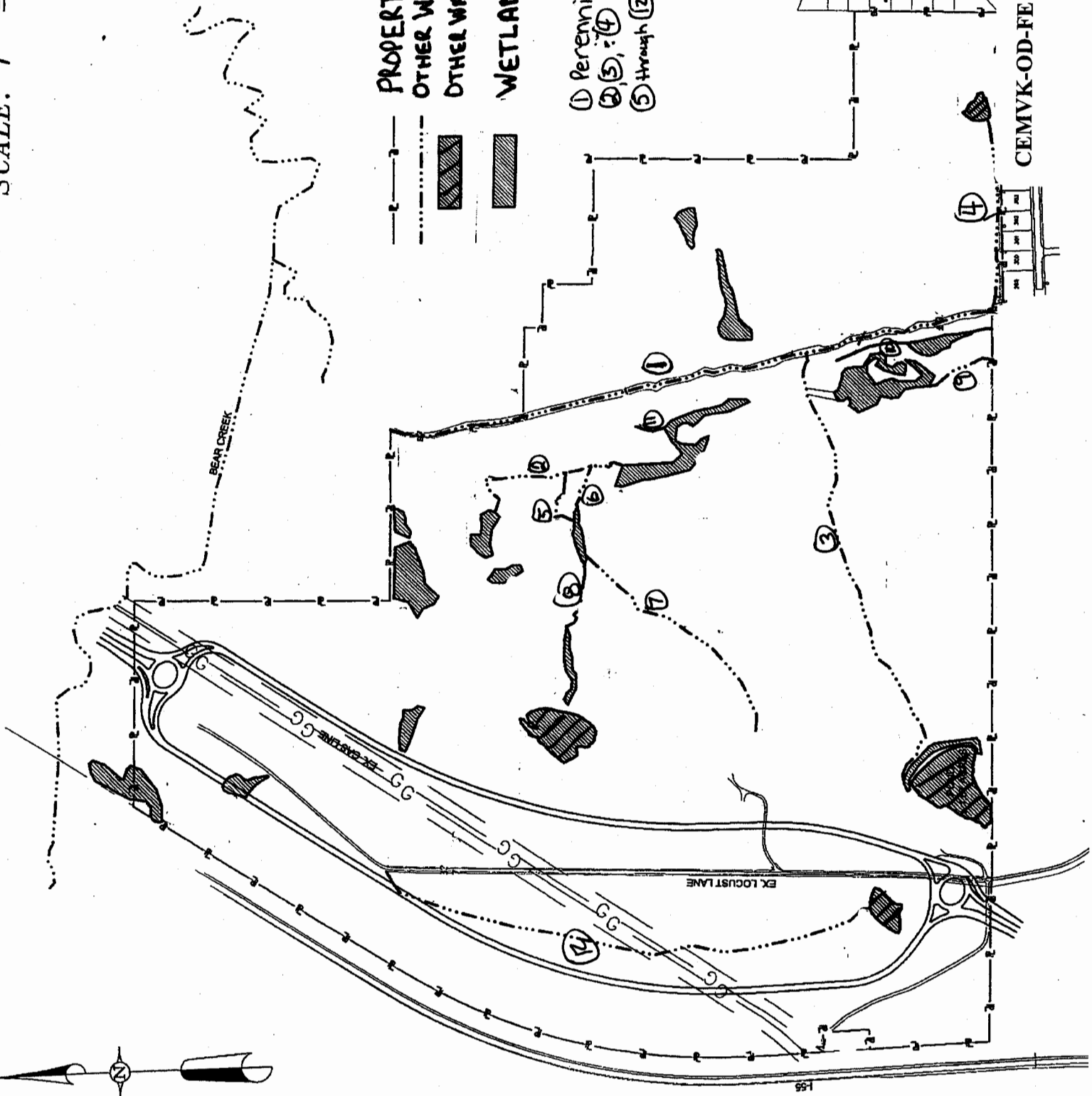
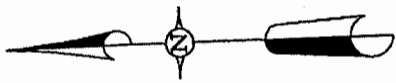
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SCALE: 1" = 600'



PROPERTY LINE
OTHER WATERS of U.S. (Linear)
OTHER WATERS of U.S. (Pond)

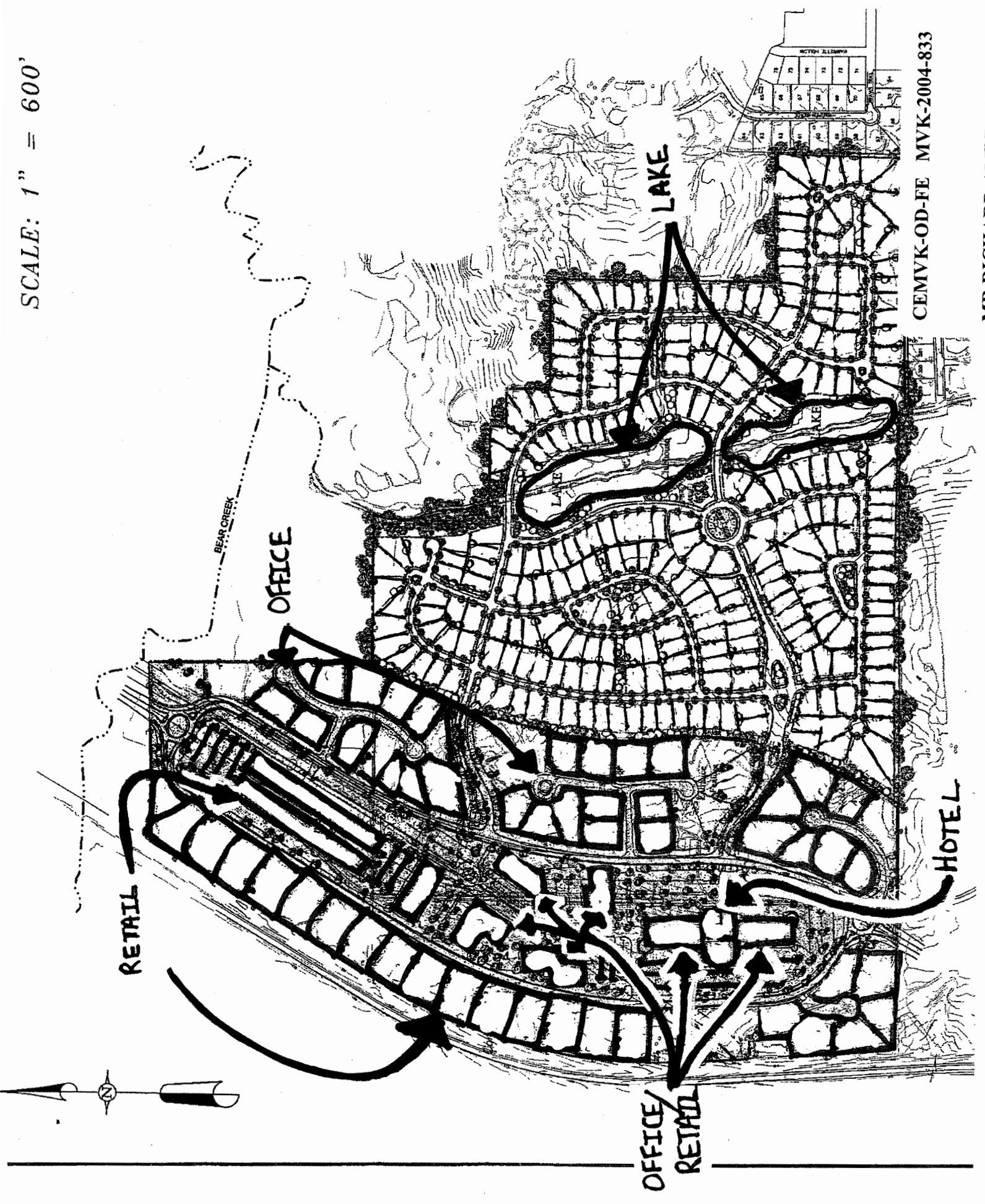
WETLANDS

- ① Perennial Stream
- ②, ③, ④ Intermittent Streams
- ⑤ through ⑭ Ephemeral Streams

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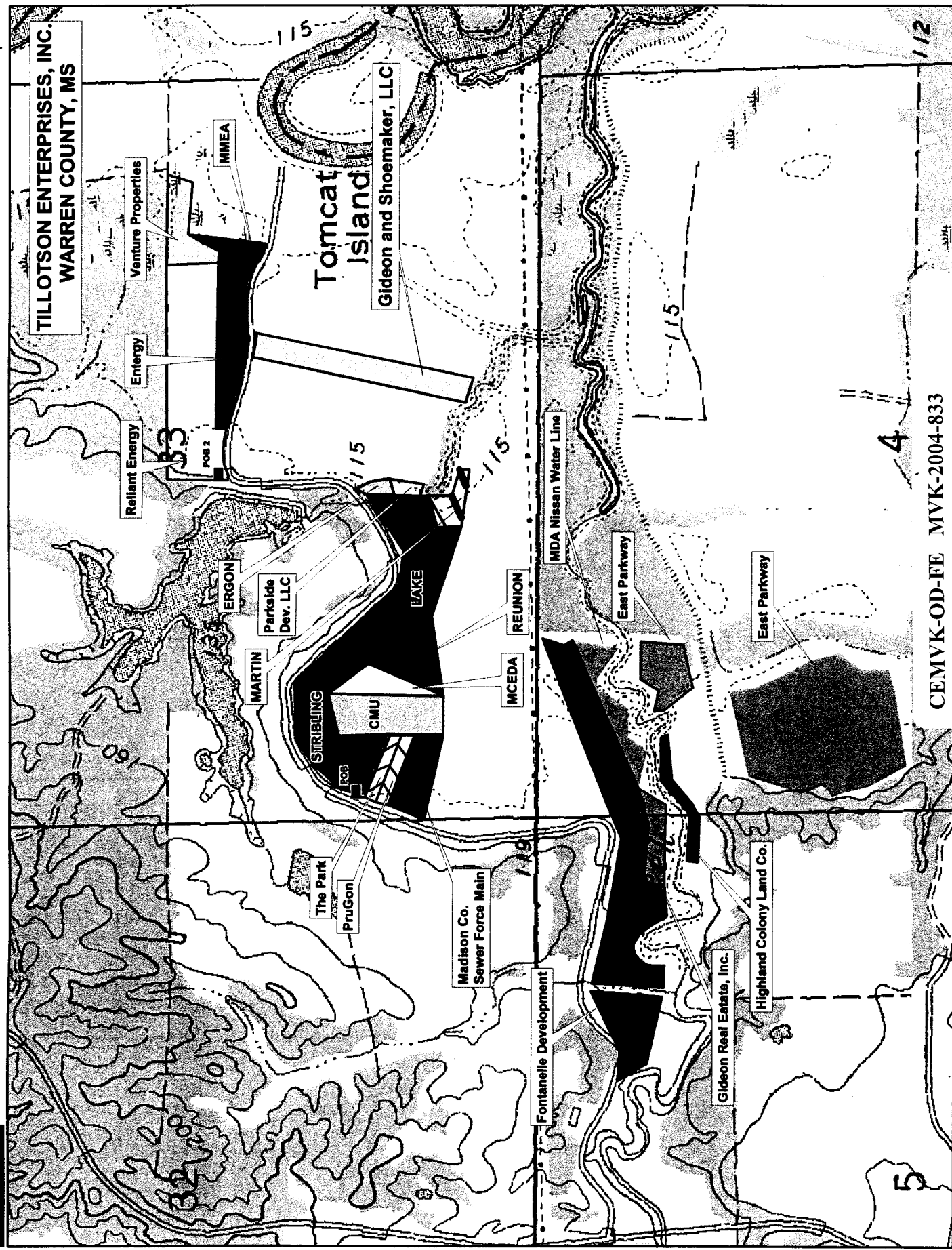
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